

Amendment No. 1 to SB1726

Beavers
Signature of Sponsor

AMEND Senate Bill No. 1726

House Bill No. 1379*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-24-105, is amended by adding the following new subsection:

(e) If any fine, costs, or litigation taxes assessed against the defendant in a criminal case remain in default when the defendant is released from the sentence imposed, the sentence expires, or the criminal court otherwise loses jurisdiction over the defendant, the sentencing judge, clerk or district attorney general may have the amount remaining in default converted to a civil judgment pursuant to the Tennessee rules of civil procedure. The judgment may be enforced as is provided in this section or in any other manner authorized by law for a civil judgment.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 24, is amended by adding a new, appropriately designated section thereto:

Section 40-24-1__.

(a) The administrative office of the courts, in consultation with the Tennessee court clerks association and the Tennessee general session judges conference, shall study the feasibility of implementing alternative methods by which an indigent defendant in a criminal case may offset court costs for which the defendant is in default. The study shall include, but is not limited to, a method whereby a defendant in a criminal case who is in default of any fine, costs, or litigation taxes may enter into an agreement with the trial court to perform community service work in lieu of monetary payment of the amount of any fine, costs, or litigation taxes for which the defendant is in default.

(b) The administrative office of the courts shall report its findings and conclusions to the judiciary committee of each house of the general assembly no later than February 12, 2010.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.